

Customer No.: 31561
Application No: 10/709,508
Docket No.: 11818-US-PA

REMARKS

Present Status

The outstanding Office Action rejected Claims 1 and 5-8 under 35 USC 102(a) as being anticipated by Fang (US 6907535, hereinafter "Fang"). The outstanding Office Action rejected Claim 4 under 35 USC 103(a) as being unpatentable over Fang. The outstanding Office Action rejected Claims 2 and 3 under 35 USC 103(a) as being unpatentable over Fang in view of Pillay et al. (US 7000138, hereinafter "Pillay").

Discussion of 35 USC 102(a) rejections on Claims 1 and 5-8

In this Claim Amendments, the Applicant incorporates Claim 2 into currently amended Claim 1. Therefore, Claim 1 is not anticipated by Fang and the Applicant respectfully submits that the 102(a) rejection on Claim 1 is withdrawn and Claim 1 is patentable.

The Applicant respectfully submits that this claim amendment does not introduce any new matter because this claim amendment at least is supported by Paragraph [0028] of the original filed specification. Further, in Paragraph [0028], step S402 detects whether the method is first time performed on the machine; if not, a translation table is established in steps S404 and S406. FIG. 1A and FIG. 3 of the application are based on the built translation table. Therefore,

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FIG. 4 of the application also means that if the method is not first time performed, the translation table is already built. This further means that, it is detected whether the translation table exists on the machine. Only if the translation table exists, the CPU frequency adjustment may be performed. Therefore, in this claim amendment, existence of the translation table is first detected. If the translation table does not exist, the translation table is built based on FIG. 4. If the translation table already exists, the CPU frequency is adjusted if necessary.

Claims 5-8 are dependent on Claim 1. Because Claim 1 is patentable, its dependent Claims 5-8 are patentable as a matter of law. The Applicant respectfully submits that the 102(a) rejections on Claims 5-8 are withdrawn and Claims 5-8 are patentable.

Discussion of 35 USC 103(a) rejections on Claim 1

Applicant respectfully traverses the rejections of the original claim 2 (which is incorporated into Claim 1) under 35 U.S.C § 103(a) as being unpatentable over Fang in view of Pillay. To establish a prima facie case of obviousness under 35 U.S.C § 103(a), three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest

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all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, not in applicant's disclosure. See MPEP § 2143.

The Applicant respectfully submits that Fang and Pillay, taken alone or combined, fail to teach or suggest, among other things, a method for dynamically adjusting frequency of a central processing unit, in which, "detecting whether a translation table exists on a machine having the central processing unit; if no: progressively tuning maximum of a clocking range for the central processing unit of the machine; and establishing providing a translation table[[.]] comprising a plurality of layers, according to the clocking range, wherein the translation table is defined for the front-side bus operation frequency of the central processing unit vs. a usage rate each of the layers defining a corresponding front-side bus operation frequency and a corresponding range of a central processing unit usage rate; if yes:..." as recited in Claim 1.

Fang discloses a method for adjusting working frequency of CPU based on a detected load value. That is to say, in Fang, one FSB frequency is corresponding to one CPU load value. However, Fang discloses neither that a plurality of CPU load values are corresponding to the same FSB frequency nor that the working frequency of CPU is adjusted to locate the current usage rate in the corresponding RANGE.

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Further, Pillay discloses, in Col. 11 Lines 17-37, how to calculate a new speed based on current speed through a feedback loop when the loading decreases, wherein the feedback loop is used for confirming whether the new speed is desired. Which means, Pillay teaches how to progressively adjust CPU frequency if the loading changes. However, in currently amended Claim 1, maximum of a clocking range for a processor of the machine is progressively tuned for table establishment.

Still further, the combination of Fang and Pillay looks like the following. First, the CPU load value is detected. It is determined whether the CPU working frequency has to be changed based on the detected CPU load value. If yes, the CPU working frequency is changed by Pillay's equations (7)-(8) through feedback loops. Applicant respectfully submits that the combination of Fang and Pillay does not at least disclose how to establish the translation table by progressively tuning... and establishing ... as recited in Claim 1.

Applicant respectfully reminds that the obvious test must rely on objective evidence, not mere unsupported opinion or argument. Otherwise, the inevitable use of hindsight will tend to render meritorious inventions "obvious" by using the inventor's own teachings as a roadmap to piece together prior art references in ways that would not have been obvious at the time of the invention.

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Therefore, Applicant respectfully submits that currently amended Claim 1 is patentable over Fang in view of Pillay because the combination of Fang and Pillay does not teach each and every technical feature as recited in Claim 1.

For at least these reasons, the cited arts do not support the rejection of claim 1 under 35 U.S.C. 103(a), Applicant requests that claim 1 is allowed.

Claims 3-8 depend from claim 1. As explained, the cited arts do not support the rejection of claim 1. Accordingly, the cited art does not support the rejections of dependent claims 3-8 for at least the same reasons set forth above in connection with claim 1.

Therefore, Applicant requests that the rejection of these claims be withdrawn and the claims allowed.

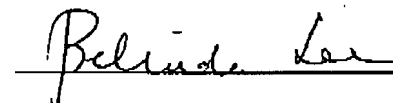
CONCLUSION

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For at least the foregoing reasons, it is believed that the pending claims are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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Respectfully submitted,


Belinda Lee

Registration No.: 46,863

Jianq Chyun Intellectual Property Office
7th Floor-1, No. 100
Roosevelt Road, Section 2
Taipei, 100
Taiwan
Tel: 011-886-2-2369-2800
Fax: 011-886-2-2369-7233
Email: belinda@jicigroup.com.tw
Usa@jicigroup.com.tw

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